

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PAUL LEWIS,

Plaintiff,

v.

DAVID DELL, DAVID LOONER, BRIAN
WALKER, and MIKE DURINSON,

Defendants.

Case Number 24-12588

Honorable David M. Lawson

Magistrate Judge Curtis Ivy, Jr.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DISMISSING THE COMPLAINT WITHOUT PREJUDICE**

Presently before the Court is the report issued on December 17, 2024 by Magistrate Judge Curtis Ivy, Jr. under 28 U.S.C. § 636(b) recommending that the Court dismiss the complaint without prejudice for failure to plead any discernible claim for specific relief. The deadline for filing objections to the report has passed, and no objections have been filed. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the report and recommendation (ECF No. 9) is **ADOPTED**, and the complaint is **DISMISSED** without prejudice.

It is further **ORDERED** that the plaintiff's motion for application of the prison mailbox rule (ECF No. 5) is **DISMISSED** as moot.

Dated: January 23, 2025

s/David M. Lawson
DAVID M. LAWSON
United States District Judge